

## **REMARKS**

Applicant submits that the present amendment is fully responsive to the Office Action dated March 6, 2009 and, thus, the application is in condition for allowance.

By this reply, claim 21 has been amended. Claims 21-26 are currently pending in the application. Of these, claim 21 is independent. An expedited review and allowance of the application is respectfully requested.

In the outstanding Office Action, claims 21-26 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. It is asserted that the claimed invention does not qualify as an eligible “process” under § 101 under the recent standard adopted in the *In re Bilski* case. Applicant respectfully traverses.

However, for sake of expediting the prosecution of the present application, claim 21 has been amended to more clearly recite additional “machine” features of the present invention. The present invention works by, among other things, allowing a user to enter certain necessary information into a proprietary and secure database which receives and examines the information and further determines and identifies the user’s mortgage service provider. The process of, among other things, receiving, identifying and notifying the user of such identity is all through a database, which is clearly a “machine” that is real and tangible, as defined by *In re Bilski* and other current case law. The present invention operates by, among other things, use of such specialized database, and the database’s operation is at the heart of the present invention. Applicant has carefully amended the language of claim 21 to recite such database. Support for recitation of such database is provided throughout the specification including, but not limited to, page 1, lines 24-29; page 4, line 31; page 5, line 9; Figures 1 and 2; and elsewhere. No new matter has been added. Thus, the present amendment to claim 21 should overcome the

outstanding § 101 rejection, and the claims should be allowed to issue. The second option (“transformation” requirement) stands moot as the first prong (“machine”) is fully addressed by the present amendment and response.

Applicant further presents that much effort has been expended throughout the long prosecution of the present application to overcome every reference that was presented throughout such prosecution, and the Office Action recognized that no other reference would fairly anticipate or obviate the present claims as recited. Thus, there were no more art rejections and the present amendment merely serves to further clarify the function of the database as part of the present invention. Applicant sincerely believes that the claims as presented should be allowable and application should proceed to issue.

No extension of time is believed due to enter this amendment. If any fees are associated with the entering and consideration of this amendment, please charge such fees to our Deposit Account 50-2882.

Applicant respectfully requests an interview with the Examiner to present more evidence of the unique attributes of the present invention in person. As all of the outstanding rejections have been traversed and all of the claims are believed to be in condition for allowance, Applicant respectfully requests issuance of a Notice of Allowance. If the undersigned attorney can assist in any matters regarding examination of this application, Examiner is encouraged to call at the number listed below.

Respectfully submitted,

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